

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.) CRIMINAL NO. 05-10184-GAO
)
NOEL NEFF)

NOTICE UNDER L.R. 40.2

The government respectfully notifies the Court, pursuant to L.R. 40.2, that it has received notice that, in the case of United States v. Benjamin Espinoza, Criminal No. 05-10060-RCL, a hearing on the defendant's first motion to suppress has been scheduled for 9:00 a.m. on May 15, 2006. Pursuant to L.R. 40.2(a)(1), the trial of this matter, which is set for the same date and time, has precedence.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:

/s/Robert E. Richardson
ROBERT E. RICHARDSON
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I, Robert E. Richardson, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on April 25, 2006.

/s/Robert E. Richardson
ROBERT E. RICHARDSON